

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GLEN LITTLETON,

Plaintiff,

v.

MORNINGSTAR, INC.,

Defendant.

21-cv-00804

Honorable Gary Feinerman

**DECLARATION OF ADAM APTON IN
SUPPORT OF PLAINTIFF'S MOTION
TO COMPEL AND ENFORCE
SUBPOENA**

I, Adam Apton, declare:

1. I have personal knowledge of the facts set forth in this declaration.
2. I am an attorney at law licensed to practice in the States of California, New York, New Jersey, and the District of Columbia. I am a partner with the law firm of Levi & Korsinsky, LLP.
3. I represent plaintiff Glen Littleton in the above-captioned litigation and in the action pending before the United States District Court for the Northern District of California, styled *In re Tesla, Inc. Securities Litigation*, No. 3:18-cv-04865-EMC (N.D. Cal.) (the "Securities Action").
4. Attached as Exhibit A is a true and correct copy of the operative complaint filed in the Securities Action.
5. Attached as Exhibit B is a true and correct copy of the subpoena duces tecum served on Morningstar, Inc.
6. Attached as Exhibit C is a true and correct copy of the final objection and refusal to comply with the subpoena received from Morningstar, Inc.

7. Attached as Exhibit D is a true and correct copy of the protective order governing discovery entered by the court in the Securities Action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 9th day of February 2021.

/s/ Adam Apton
Adam Apton